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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,944	03/30/2004	Jonathan J. Hull	20412-08454	8290
758	7590	12/31/2007		
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			EXAMINER TRAN, MYLINH T	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 12/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/814,944	Applicant(s) HULL ET AL.	
	Examiner Mylinh Tran	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-27,29-31 and 33-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-27,29-31 and 33-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's amendment filed on 10/05/07 has been entered and been carefully considered. Claims 1-3, 5-9, 11, 14-15, 17-24, 27, 29-31 and 33-48 have been amended. Claims 4, 28 and 32 have been canceled. However, the limitations of the amended have not been found to be patentable over prior art of record, therefore, claims these claims are rejected under the same ground of rejection as set forth in the Office Action mailed (07/05/07).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 3, 5-27 and 36-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanco [US. 2005/0064935] in view of Lowitz et al. [US. 5,485,554].

As to claims 1 and 27, Blanco teaches a user interface for receiving instruction from a user to control an analysis of media content and generation of a printable representation of the media content (page 1, 0007); and a media analysis module communicatively coupled to the user interface, the media analysis module configured to analyze features of the media content based at least in part on the instructions received from the user (page 4, 0053), Blanco fails to clearly teach a media representation generation module for generating a printable representation of the media content based at least in part on the analyzed features from the media analysis module and the instructions received from the user; and an output device for printing the printable representation of the media content to a tangible medium. In the same art of media editing, Lowitz et al. teach generating a printable representation of the media content at column 5, line 60 through column 6, line 8. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claim 3, Blanco teaches processing logic for controlling display of the user interface (page 1, 0042).

As to claim 5, Blanco also teaches hardware for writing a digital media representation of the media content in digital format (page 2, 0031).

As to claim 6, Blanco teaches a storage medium for storing the digital of the media content written in digital format (page 2, 0031-0033).

As to claims 7 and 48, Blanco in fails to clearly teach the output device being configured to print a paper format. However, Lowitz et al. teach generating a printable representation of the media content at column 5, line 60 through column 6, line 8. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claim 8, Blanco fails to clearly teach the output device being configured to print at least one user-selectable identifier associated with the media content. However, Lowitz teaches feature at column 2, lines 5-50. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claim 9, Blanco fails to clearly teach at least one barcode identifying the media content in the printable representation. Lowitz teaches feature at column 11, lines 10-15. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of

media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claims 10 and 44, Blanco also teaches at least one play identifier that can be selected to play an associated media content (page 1, 0007).

As to claim 12, Blanco fails to clearly teach a communication monitoring module for monitoring communication between the components of the system, wherein the communication monitoring module forwards requests for information and replies to requests among system components. However, Lowitz teaches features at column 2, lines 15-34. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claims 11 and 45, Blanco teaches a data structure for representing transformation of media content (page 1, 0007-0008).

As to claim 13, Blanco also teaches the user interface further comprising a selection menu for allowing a user to select feature analysis to be performed on media content (page 1, 0008).

As to claims 14 and 40, Blanco teaches a field for setting a threshold on confidence values associated with results of analyzing the features of the media content (figure 12).

As to claims 15 and 42, Blanco fails to clearly teach at least one field for managing and modifying display of media information in the printable

representation of the media representation. However, Lowitz et al. teach generating a printable representation of the media content at column 5, line 60 through column 6, line 8. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claims 16 and 41, Blanco fails to clearly teach a preview field for previewing active media frames within selected media content. However, Lowitz teaches the feature at column 9, lines 1-20. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claim 17, Blanco fails to clearly teach a preview field for previewing the printable representation generated by the media representation generation module. However, Lowitz teaches the feature at column 9, lines 1-20. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claim 18, Blanco fails to clearly teach one content selection field for selecting segments of the media content from at least one source to be

displayed in the printable representation of the media content. However, Lowitz teaches the feature at column 9, lines 50-65. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claims 19 and 43, Blanco fails to clearly teach a selector that a user can use along the content selection field in order to select segments to be displayed in a media representation. However, Lowitz teaches the feature at column 9, lines 50-65. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claim 20, Blanco teaches graphical illustration of the media content from which a user can view the media content and select segments of the media content (page 4, 0060-0061).

As to claim 21, Blanco also teaches an audio waveform timeline displaying audio content (page 5, 0070).

As to claim 22, Blanco teaches a video timeline displaying video frames extracted from video content (page 5, 0070).

As to claim 23, Blanco also teaches a video timeline displaying text extracted from video content (page 2, 0025).

As to claim 24, Blanco teaches a field for displaying the results of analyzing the media content, the results of being displayed as defined segments along a timeline (page 5, 0070).

As to claim 25, Blanco teaches an output device driver module for driving the media content analysis (page 2, 0023) and the media representation generation, the output device driver module being communicatively coupled to the user interface to receive user instructions (page 2, 0023-0024).

As to claim 26, Blanco also teaches an augmented output device for generating a media representation, the augmented output device being communicatively coupled to the media analysis software module to receive transformed media data, the augmented output device being communicatively coupled to the output device driver module to receive instructions for media representation generation (page 3, 0036).

As to claims 36 and 46-47, Blanco fails to clearly teach adding a print function to a media rendering application for printing a media representation. However, Lowitz teaches the feature at column lines 13, lines 13-30. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claim 37, Blanco teaches storing media content on a storage medium that is accessible to augmented output device (page 4, 0051).

As to claim 38, Blanco fails to clearly teach "using a user interface to display

media content formatting options to a user". *However*, Lowitz et al. teach generating a printable representation of the media content at column 5, line 60 through column 6, line 8. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claim 39, Blanco teaches selecting an analysis technique to be applied to media content, wherein the analysis technique recognizes defined features in the media content (page 5, 0070-0075).

Claims 2, 29-31 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanco [US. 2005/0064935] in view of Lowitz et al and further in view of Freedman [US. 2004/0249650].

As to claim 2, Blanco teaches a user interface for permitting a user to control the media content analysis and media representation generation; and a media analysis software module for analyzing features of the media content , the media analysis software module being communicatively coupled to the user interface to receive media content analysis instruction,

Blanco in view of Lowitz fail to clearly teach the media analysis software module comprising content recognition software for recognizing features in media

content. However, Freeman teaches the content recognition software at page 8, lines 0045. It would have been obvious to one of skill in the art, at the time the invention was made, to combine Lowitz's teachings with the analysis of media content. Motivation of the combination would have been to enhance the GUI layout of the printable output.

As to claim 29, Blanco in view of Lowitz fail to clearly teach performing speech recognition on the media data. However, Freedman teaches the feature at page 8, 0045. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Blanco. The motivation of the combination would have been for the advantage of increasing an operation speed in the media representation generation.

As to claim 30, Blanco in view of Lowitz fail to clearly teach the optical character recognition on the media data. However, Freedman teaches the features at page 15, 0064. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Blanco. The motivation of the combination would have been for the advantage of increasing an operation speed in the media representation generation.

As to claims 31 and 34, Blanco in view of Lowitz fail to clearly teach analyzing features of media data further comprises performing face recognition on the media data. However, Freedman teaches the features at page 15, 0064. It would have been obvious to one of ordinary skill in the art, at the time the

invention was made, to combine the teaching of Blanco. The motivation of the combination would have been for the advantage of increasing an operation speed in the media representation generation.

As to claim 33, Blanco in view of Lowitz fail to clearly teach performing speaker detection on the media data. However, Freedman teaches the features at page 9, 0048. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Blanco. The motivation of the combination would have been for the advantage of increasing an operation speed in the media representation generation.

As to claim 35, Blanco in view of Lowitz fail to clearly teach performing event detection on the media data. However, Freedman teaches the features at page 6, 0040. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Blanco. The motivation of the combination would have been for the advantage of increasing an operation speed in the media representation generation.

Response to Arguments

Applicant's arguments with respect to claims 1-3, 5-27, 29-31 and 33-48 have been considered but are moot in view of the new ground of rejection.

Regarding argument about Freedman is not properly available as a prior art reference. However, the examiner respectfully disagrees because Freedman claims priority from US Provisional Patent Application No. 60/306,142 filed on

July 19, 2001 while a Provisional Application 60/506,303 of the present application was filed 09/25/03. Therefore, Feedman reference is still a proper prior art.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

Application/Control Number:
10/814,944
Art Unit: 2179


Page 13

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179


WEILUN LO
SUPERVISORY PATENT EXAMINER

Application/Control Number:
10/814,944
Art Unit: 2179

Page 14